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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

KENNETH T. LYNCH

(PLAINTIFF)

VS.

THE CLOROX COMPANY

1:15-CV-0271

COMPLAINT

Kenneth T. Lynch , plaintiff, files this complain, stating claims for relief as follows:

A. JURISDICTION AND VENUE.

This action is brought pursuant to the Title VII of the Civil Rights Act of 1964 as amended , for employment discrimination. Jurisdiction is specifically conferred on this court by 42 U.S.C.

Section 2000e(5). Equitable and other relief are also sought under 42 U.S.C. Section 2000e(5)(g).

B. PARTIES

1. The plaintiff, Kenneth T. Lynch is an adult male who resides at 8791 Freedom way, Jonesboro, Ga , 30238.
2. At all relevant times, Mr. Lynch was a practicing and devout Muslim and was employed by The Clorox company.
3. The Defendant , The Clorox company is a profit corporation existing under the laws of the State of Georgia, and conducts business at 17 Lake Mirror Road, Forest Park, GA, 30297.
4. At all relevant times , The Clorox company employed in excess of 1000 employees.
5. At all relevant times, The Clorox company employed in excess of 1000 employees and was an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Sections 2000e, et seq.

C. NATURE OF THE CASE

6. Plaintiff incorporates by reference the allegations set forth in the preceding paragraphs of the Complain as though set forth at length herein.
7. The discriminatory acts occurred on or about September 2010 until January 2012.

8. Mr. Lynch filed charges (2) with the Equal Employment Opportunity Commission regarding The Clorox Company September 30, 2011, and January 25, 2012.
9. Mr. Lynch was a witness in an ongoing Equal Employment Opportunity Commission charge filed June 30, 2011 by Ms. Vanette Stephens, against The Clorox company. (Charge #410-2011-04458)
10. The Equal Opportunity Commission sent the attached "Notice of Right to Sue" which Mr. Lynch received November 17, 2014. (Exhibits A and B)
11. The discriminatory acts that are the basis of the this suit are: Failure to promote with respect to compensation. Work assignments, discipline, harassment, retaliation, and wrongful termination.
12. The Defendants conduct is discriminatory with respect to his (Kenneth Lynch) Religion, and Mr. Lynch, engaging in a protected activities. (Witness in EEOC charge, and Filing a EEOC charge against The Clorox company.)

D.CAUSES OF ACTION

Defendants, The Clorox company repeated violation of the Title VII Prohibition of Discrimination on basis of Religion, and protected activities-Disparate Treatment, and Retaliation.

Plaintiff incorporates by reference the allegations set forth in the preceding paragraphs of the complaint as though set forth at length herein.

14. On or about July 2010, Mr. Lynch was hired for the Clorox company as a Production worker.
15. During his employment with The Clorox company Mr. Lynch was member of a class protected under the Title VII, against Religious discrimination, by his employer, The Clorox Company, and or by their agents.
16. On or about September 2010, co-workers started making disparaging remarks about Muslims and their beliefs. Muslims were characterized as, "Racists" "Terrorist" "Fools" "Cowards" and "they hate white people." "Savages." Mr. Lynch is repeatedly asked, "Are you Muslim!?" By co-workers. Team Leader, Derrick Miller warned, "They (co-workers) are turning on you!"
17. Co-workers stopped talking to Mr. Lynch, and refusing to work with him. Co-workers refused to relieve Mr. Lynch for breaks, and Mr. Lynch work hours were not put in from Supervisor.
18. On or about December 2010, Mr. Lynch wrote his first official complaint of discrimination and harassment to Clorox's hotline. Mr. Lynch cited, refusal of co-workers to train. (Whistle-blower)
19. On or about January 26, 2011 Mr. Lynch was issued "Corrective action" for and

incident that Crew-lead initiated and committed. With 4 workers on line, Mr. Lynch was the only one issued "Corrective action" for Quality issue.

20. On or about February 7, 2011, Team Leader, Romano Dudley punches Mr. Lynch twice in the chest and sarcastically says, " You are not going to get one of the brothers from the nation on me, are you!?"

21. On or about February 10, 2011; Mr. Lynch made a written complaint against co-workers abusive language, and overall hostile environment.

22. On about February 11, 2011, Plant Manager, Lawrence Williams comments: "This might not be the place for you! The complaints stop with me, NO MORE!"

Mr. Williams tears up my Group certification (Wage increase and promotion) and tells Mr. Lynch to start over in another area.

23. On or about June 30, 2011, Mr. Vanette Stephens files an EEOC charge (#410-2011-04458) against "The Clorox company." Mr. Lynch is one of her witnesses.

24. On or about August 3, 2011, Meeting with Human Resources Manager and Lawrence Williams, detailing complaints, and harassment. Mr. Lynch was repeatedly asked if he was represented by an attorney. Mr. Lynch asked if intensified harassment was due to the fact that he was a witness for Ms. Vanette Stephens in an EEOC charge, against Clorox. (Sexual harassment)

25. On about August 28, 2011 Mr. Lynch issued written complaint against unwanted touching and constantly being over-looked for over-time. Plant Manager, Lawrence Williams responds to complaints and warns against "going outside the company with complaints."

26. On or about August 29, 2011 Dale Lemack, (Group 7) removes Kenneth Lynch from Over-time schedule for Bobby Oagles. Mr. Lemack places his hands on Mr. Lynch, and he (Mr. Lynch) objects.

27. On or about September 30, 2011 Mr. Lynch files EEOC complaint #410-2011-05248 against "The Clorox company" for religious discrimination, retaliation, and harassment.

28. On or about October 18, 2011, EEOC dismisses charges against "The Clorox company." Notifies Mr. Lynch and " The Clorox Company" via mail.

29. On about November 20, 2011, Packaging Manager, Rebecca Bowman moves, Mr. Lynch to night shift, and a different area of the plant. (6:30pm-6:30am) No warning, no explanation (Several co-workers stay on days with less seniority)

30. On or about December 5, 2011, Human Resources, informed Mr. Lynch of "Mystery points" assessed to perfect attendance.

31. On or about December 20, 2011 Mr. Lynch speaks of incidents of (during open -floor) harassment, intimidation and violence, during a Plant meeting. (Huffmaster, is the security company, that Clorox employs at the Forest Park sight). Huffmasters, Gary

Strehl, characterizes Kenneth Lynch as a "Threat to the workplace, and the community." Sends "unsolicited" letter to Clorox. (No facts or witnesses are referenced, during the letter, or entire investigation that supports Huffmaster, or Clorox's claim, that Mr. Lynch being " a threat to the workplace, co-workers, and community."

32. On or about December 21, 2011 Clorox suspends Kenneth Lynch, with no reason given. Kenneth Lynch hand is knocked down, (By Plant Manager) while attempting to shake hands with crew-lead, and shoved in the back by Huffmasters' Jaye Casey. Mr.Lynch files police report of assault, and battery at the Forest Park Police Department.

33. On or about December 23, 2011, Mr. Lynch started receiving death threats, directed at 3 year daughter, (Madilyn Lynch) her mother (Ebony Gray) and himself. Mr. Lynch filed a complaint of terrorist threats at the Clayton County Police Department. Case # 11064278

Mr. Lynch sends Clorox compliance, a written complaint detailing harassment, assault and discrimination. (At least 38 written complaints issued to "The Clorox company" detailing discrimination, harassment, assault, and overall disparate treatment.)

34. On or about January 12, 2012, Mr. Lynch was notified by The Clorox Company's, (Lydia Jeung, Human Resources Director, and Christine Meinger, Client Manager) that he was being terminated the following day, for " being a threat to the workplace." Mr.Lynch was offered a "transition package of 12,070" in return for signing a general release.

35. On or about January 19, 2012, Clorox compliance, notifies Mr. Lynch that the companies internal investigation revealed no wrong doing on companies part. Including shift change.

36. January 25, 2012 Mr. Lynch filed charge # 410-2012-02249 at the Equal Employment Opportunity Commission against, "The Clorox Company."

37. On, or about November 2014, The Equal Employment Opportunity Commission determination, stated that the evidence and facts indicated that "The Clorox Company" did engage in activities that violated the Civil Rights act of 1964, as amended, 42 U.S.C.

E. INJURY

38. Plaintiff incorporates by reference the allegation set forth in the preceding paragraphs of the complain as though set forth at length herein.

39. As a result of The Clorox Companies employment policies, procedures and practices, Mr. Lynch was unjustly and discriminatory deprived of equal opportunities because of his religion: Islam, and his engagement in protective activities: Opposed unlawful activities.

40. As a further result of "The Clorox Company" stated actions, Mr. Lynch has been, is being and will be deprived of income in the form of wages and prospective retirement benefits and other benefits, promotion opportunities and job assignments due to him as an employee, but denied because of his Religion and his engagement in protective

activities and an amount to be proven at trial.

41 The Clorox company's conduct was a direct and proximate cause of his injuries, damages and harm suffered by Mr. Lynch.

42. Furthermore, The Clorox Company engaged in unlawful and intentional discrimination, with malice and indifference. Direct violations of section 706 of the Civil rights Act of 1964 (42 U.S.C. 2000e-5)

F. REQUEST FOR RELIEF

43. As The Clorox company engaged in discriminatory employment practices with malice and reckless indifference to Mr. Lynch's protected rights, Mr. Lynch is entitled to punitive/exemplary in addition to compensatory damages and other remedies available under the Title VII of the Civil Rights Act of 1964, (42 U.S.C 1981a).

A handwritten signature in black ink, appearing to read "Kenneth Lynch". The signature is written in a cursive, flowing style.

1/28/2015

KENNETH LYNCH DISCRIMINATION TIMELINE

September 2010-Objected to comments made by co-worker James Laird that identified Muslims as "racist" and "terrorist." And that they "hated Jesus." He immediately asked, "Are you a Muslim?" Kenneth responded, "I do not discuss my Religious beliefs at work."

September –October 2010 Noticed co-workers Ed Miller, Linda Harris, and James Laird not relieving me for breaks, and not communicating with me. Asked repeatedly, "Are you a Muslim?" Team Leader Derrick Miller warned, "They (co-workers) are turning on you."

October 2010- Trainer Linda Harris asked me "Why don't you like white people?" "Are you a racist?"

October 23, 2010- Supervisor Dale Lemack did not put time in for the week. Did not get paid. (Everyone else did, I asked)

November 2010- Trainer Donald Henderson constantly leaves Bible verses on computer and in work station for me to read, even though I have asked him not to. "Are you Muslim?" Donald Henderson

November 2010-Constantly being looked over for over-time even though others of my hiring group are receiving over-time. I am certified in three areas, which means I have the experience.

December 2010-Moldings Robbie Clowers says in a break-room "Muslims don't like Jesus. They don't like nobody. They don't like blacks either."

December 2010-First official complaint of harassment, lack of training, and Religious discrimination to Clorox Human Resources Manager, Inger Perkins. Via email (Found out later that she deferred complaint to Production Manager Rebecca Bowman.)

December 27, 2010 First complaint to Clorox Compliance, (whistle blower) concerning discrimination, harassment and co-workers reluctance to train me. (Identified myself and facility.)

January 20, 2011- Meeting with Clorox's Human Resources Manager, Inger Perkins, concerning religious discrimination, harassment, lack of training and over-time. (Professional)

January 26, 2011-I (Kenneth) was Issued "Corrective action" by Packaging Manager,(Rebecca Bowman) for crew lead, Larry Davis not following procedure, and unplugging bottle decoder in my area during CIL stop. Larry Davis admitted he unplugged bottle coder, and did not follow 30 minute pit stop protocol. No one else was issued "Corrective action."

February 7, 2011-Team Leader (Romano Dudley) punched me in the chest (twice) and said "You are not going to get some of the brothers from the Nation on me are you?" (sarcastically)

February 10, 2011- Made written complaint against Crew Lead Larry Davis for yelling and calling me " Mother %#+^£*" and "Son of a *^%9" to Team Lead Derrick Miller.

February 11, 2011-Plant Manager, Lawrence Williams pulled me from Laundry line, and said "This might not be the place for you to work." I (Kenneth) made a written complaint against Team Leader, Romano Dudley for punching me in the chest. "NO MORE COMPLAINTS, IT STOPS HERE!" (Lawrence Williams)

Lawrence Williams took my group 4 certification for laundry, and ripped it up.(A checklist for advancement, and raise) Lawrence, then gave me another certification to start over. I (Kenneth) then gave Lawrence a detailed list of complaints. (Harassment and derogatory comments about Muslims and lack of training and over-time)

Lawrence moved me to HC-2 to dump triggers . (Meant to humiliate me and send a message to other workers) *Normally a contractor job.*

March 16, 2011-Moved to HC-3 from HC-2 , "to be watched." (NO EXPLANATION GIVEN)

March 18, 2011- Sent email to Human Resources, detailing derogatory comments made about my Religion by Robbie Clowers, Donald Henderson and Ed Miller. (Ms. Vanette Stephens was the witness in Laundry Break room)* Did not identify Ms. Stephens as my witness to Clorox*

Sent email to Plant Manager, Lawrence Williams detailing harassment and derogatory comments about Muslims. "These people going around here making complaints, they (Management) ain't going to do anything. Snitches get stitches." Robbie Clowers, and Edward Miller.

April 18, 2011- Clorox compliance hotline (Ann Hatanaka) responds to complaints via email "We have conducted an investigation. We also found no evidence of any violation of company policy."

April 30, 2011- Email to Plant Manager, Lawrence Williams detailing how I'm constantly being overlooked for over-time.

June 9, 2011- Meeting with HR Divisional Manager for cleaning, Ms. Gina Bridges White. Identified harassment, discrimination, assault, and lack of over-time. (Professional)

June 30, 2011- Vanette Stephens filed EEOC charge against Clorox. #410-2011-04458 Sexual Harassment. (Kenneth Lynch, WITNESS)

August 3, 2011- Team Leader Romano Dudley removes me from over-time schedule for Bobby Oagles. Meeting with Human Resources Manager, Inger Perkins, and Plant Manager, Lawrence Williams about over-time, discrimination and harassment. Told by Inger Perkins not to contact Corporate compliance anymore. " Have you retained an attorney?"Inger Perkins.

"Everybody knows a lot of this is happening because I am a witness in Vanettes (Stephens) EEOC (discrimination) case.

August 9, 2011- I Complained to Production Manager, Rebecca Bowman, that crew lead, Bobby Oagles is confrontational, does not follow safety and quality procedures and repeatedly yells and curses at me. " It seems like he is trying to provoke me (Kenneth) into an altercation. "

Yelling and cursing is interpretation. I do it. You (Kenneth) have personality traits that need to change." Rebecca Bowman, Production Manager.

"No one should be yelling and cursing at you on the floor." Human resources , Simone Burrows during orientation 2010*

August 17, 2011- I (Kenneth) Identified co-workers cursing, yelling, and not following procedures on the line, to (Client manager/employee relations) Eric Neely. Not in line with rulebook. "They are trying to provoke me into an altercation, and get me fired, and it is obvious. If I did it, I would be out the door." Kenneth Lynch.

August 18, 2011- Crew Lead, Reggie Johnson yelled and accosted me for stopping the production line because of flagging labels. Openly blocks computer, and violates my space repeatedly. Several witnesses, nothing is done. Complained to Rebecca Bowman, but quickly dismissed concerns. No investigation, no nothing.

August 19, 2011- Moved from HC-3 to HC-1. (No explanation)

August 22, 2011- Moved to HC-3 from HC-1(No explanation given)

August 23, 2011- Write up (Corrective Action) for identifying flagging labels on line to Crew Lead Bobby Oagles. Bobby stopped the production line, but I was written up. Followed procedure in handbook, and in training . No one else was written up or reprimanded. Production Manager Rebecca Bowman insisted that I relinquish "personal notes to her for an investigation." Quality Manager, Bryan Martin confirmed I followed the right procedure. "You (Kenneth) did nothing wrong."

August 28, 2011- Written complaint against unwanted touching (In Clorox rulebook) over-time, and harassment given to Lawrence Williams. Also told Lawrence Williams that I (Kenneth) would file charges if I am attacked or physically harassed again. (He signed document, confirming that he read, and received it.) Plant Manager, Lawrence Williams responds to complaints by threatening my job if I "went outside of Clorox to address issues."

August 29, 2011- Supervisor, Dale Lemack removes me (Kenneth) from over-time schedule for Bobby Oagles, then puts his hands on me. "Don't put your hands on me anymore. If you do, I will go to the police department." (Kenneth)

Plant Manager, Lawrence Williams responds and affirms Corrective action by Production Manager, Rebecca Bowman 8/23/2011. Lawrence Williams response is not in line with training and handbook. (Lawrence Williams, glares at me the whole time. Sarcastic and short. Open disdain.)

September 19, 2011- Crew Lead Bobby Oagles shoves cart at me, while I (Kenneth) was ducking down to pick up bottles. Bobby Oagles looked at me and smiled. I (Kenneth) attempted to make a complaint to Plant Manager, Lawrence Williams, but he sarcastically respond, "You don't have any witnesses, do you?"

September 23, 2011-Production Manager, Rebecca Bowman instructs me to meet with Eric Neely. (Client Manager/employee relations)

After meeting, Rebecca aggressively confronts me (while I'm walking back into work area) "WHY DIDN'T YOU CALL FOR ASSISTANCE!!? WHY DIDN'T YOU DO SOMETHING ABOUT THE OVERSPRAY!!? THIS IS UNACCEPTABLE! WRITE OUT A STATEMENT!!" (I had not worked on machine, because I had been in a meeting with Corporate's Eric Neely.)

September 24, 2011- Wrote a complaint to Eric Neely (Client Manager/Employee relations) detailing Production Manager, Rebecca Bowmans irrational and unprofessional behavior in front of crew the previous day. (9/23/2011)

September 26, 2011- Instructed to clock out by team leader, Tameika Burts. Ms.Burts told me early clock out would not count against me. Later found out that a half point was charged to my perfect attendance. Tameika Burt's identified upper management (Rebecca Bowman, and Lawrence Williams) as having attached infraction to attendance record.

September 30, 2011- Filed EEOC complaint #410-2011-05248, with investigator Joseph Jones, against Clorox for Religious discrimination, retaliation, and harassment.

October 18, 2011-EEOC Dismissal of charge #410-2011-05248, by Supervisor Natasha Barton. (EEOC Notifies Clorox of dismissal)

"Management is really going to come after you now." Team leader, Tony Tuggle
"I can't help you anymore. Find another job." Human Resources Manager, Inger Perkins.

"They really have it in for you Kenny." Trainer, Jerry

November 12, 2011-Sent complaint to Clorox compliance detailing continued harassment, and retaliation.

November 20, 2011-Packaging Manager, Rebecca Bowman moves me to night shift via Team leader, Tony Tuggle. No explanation, even though I have more seniority than 3 other operators on day shift. (This goes against employee handbook, common practice)

Written complaint to Clorox compliance, regarding night shift assignment, and deviations from employee handbook, and common practice, by Forest Park Management.

November 30, 2011-Written complaint to EEOCs, Suzanne Kotrosa, Thelma Brown, Michael Dougherty, Inspector General of EEOC, and Inspector General of Department of Justice. Alleging unfair treatment at the Atlanta office while filing charges against Clorox.

December 5, 2011-Human Resources, Felicia Stargell informed me of mystery points against my perfect attendance. (Early clock out 10/28 &10/27 late)

December 20, 2011-Plant meeting, "Violence in the workplace" I (Kenneth) asked questions about bullying, workplace violence, and how do you address it. Huffmasters, John Kavalick, and Gary Strehl, commented, "that man is not right. Alarm bells were going off in my head." Huff

master supposedly labels Kenneth, "A threat to the worksite, and community." No basis or evidence given.

"That man (Kenneth) was targeted, he did nothing wrong." Supervisor, Terry Mann.

Team Leader, Gary Hyde thanked me for speaking up, shook my hand, and pointed out the hypocrisy at Clorox. (Along with 3 other co-workers) Mr. Hyde, acknowledged that he had been bullied and harassed at Clorox. "Mainly because I am white." (Gary Hyde, Team Leader)

December 21, 2011-Notified by Plant Manager, Lawrence Williams, and Christine Meinger, (Client Manager) that I (Kenneth) was suspended (No explanation) pending an investigation. While being walked off premises, I was yelled at, assaulted, harassed, and provoked by Plant Manager, Lawrence Williams, and Huffmasters Jaye Casey. My arm was knocked down by Lawrence Williams, (while I was attempting to shake crew leads hand) and I was shoved in the back by Huffmasters security guard Jay Casey. (While I was walking.) Jay Casey told police that he "accidentally bumped" into me.

I (Kenneth) filed a police report for assault against Clorox's Plant Manager, Lawrence Williams, and Huffmasters, Jaye Casey at the Forest park police department that night. (CASE# 11-007343)

December 23, 2011-Via text, started receiving death threats directed at my daughter, her mother, and myself, from "anonymous nigga" (Confirmed in 4/2012, "anonymous nigga" is Clorox's Plant Manager, Lawrence Williams.)

I (Kenneth) filed a complaint of terroristic threats at the Clayton county police department. (Case#11064278)

December 30, 2011-Attempted to file an EEOC charge #410-2012-01513 at Atlanta office.

January 12, 2012- Notified by Lydia Jeung (Human Resources Director) and Christine Meinger (Client Manager) that I would be terminated the following day for "Being a threat to the workplace." (Identified by Huffmaster security) Clorox refused to answer any questions. Made an offer of settlement of 12,070 for general release. (Declined offer)

January 19, 2012-Clorox compliance notifies me (Kenneth) via email, that their investigation revealed no wrong doing on companies part, including shift change.

January 25, 2012- Filed charge #410-2012-02249, against Clorox manufacturing for discrimination, and retaliation at the Atlanta office. Investigator Claudia Mortimer-Kanu.

February 3, 2012-EEOCs Atlanta Director, Mrs. Bernice-Williams Kimbrough responds to Kenneth Lynch complaint against Atlanta office. Suggest that I file another complaint after termination.

February 9, 2012-Department of labor concludes that Clorox "did not warn you that your work was unacceptable. You performed the duties for which you were hired." Department of Labor.

NOTICE OF RIGHT TO SUE
(CONCILIATION FAILURE)

To: **Kenneth T. Lynch**
8791 Freedom Way
Jonesboro, GA 30238

From: **Atlanta District Office**
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

410-2012-02249**Claudia Mortimer-Kanu,**
Investigator**(404) 562-6877****TO THE PERSON AGGRIEVED:**

This notice concludes the EEOC's processing of the above-numbered charge. The EEOC found reasonable cause to believe that violations of the statute(s) occurred with respect to some or all of the matters alleged in the charge but could not obtain a settlement with the Respondent that would provide relief for you. In addition, the EEOC has decided that it will not bring suit against the Respondent at this time based on this charge and will close its file in this case. This does not mean that the EEOC is certifying that the Respondent is in compliance with the law, or that the EEOC will not sue the Respondent later or intervene later in your lawsuit if you decide to sue on your own behalf.

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosures(s)


Bernice Williams-Kimbrough,
District Director

NOV 13 2014

(Date Mailed)

cc: **John W. Alden**
Kilpatrick Townsend
Suite 2800 - 1100 Peachtree St.
Atlanta, GA 30309



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Atlanta District Office

100 Alabama Street, SW, Suite 4R30
Atlanta, GA 30303
TTY (404) 562-6801
FAX (404) 562-6909/6910
Website: www.eeoc.gov

EEOC Charge No.: 410-2012-02249

Kenneth T. Lynch
8791 Freedom Way
Jonesboro, GA 30238

Charging Party

Clorox Products Manufacturing
17 Lake Mirror Lake
Forest Park, GA 30297

Respondent

DETERMINATION

I issue the following determination on the merits of this charge.

Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq. (Title VII). Timeliness and all other jurisdictional requirements for coverage have been met.

Charging Party alleges that he was suspended and subsequently discharged because of his religion (Muslim), in violation of Title VII. He further alleges that he was retaliated against for opposing unlawful employment practices, also in violation of Title VII.

Respondent denies the allegations.

The Commission's investigation did not disclose sufficient evidence to support the Charging Party's allegation that he was discriminated against because of his religion (Muslim), in violation of Title VII.

The evidence does reveal, however that the Charging Party complained internally and to the EEOC about harassment and discrimination. A short time later, the Charging Party was suspended and ultimately discharged.

Accordingly, based upon the evidence and the record as a whole, there is reasonable cause to conclude that the Charging Party was discharged in retaliation for opposing unlawful employment practices in violation of Title VII.

Upon finding that there is reason to believe that a violation has occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. In this regard, conciliation of this matter has now begun. A conciliation agreement containing the types of relief necessary to remedy the violation of the statutes is included for your review.

Letter of Determination
EEOC Charge No. 410-2012-02249
Page 2

When the Respondent declines to enter into settlement discussions, or when the Commission's representative for any other reason, is unable to secure a settlement acceptable to the office, the Director shall so inform the parties in writing and advise them of the court enforcement alternative available to the Charging Party, aggrieved persons, and the Commission.

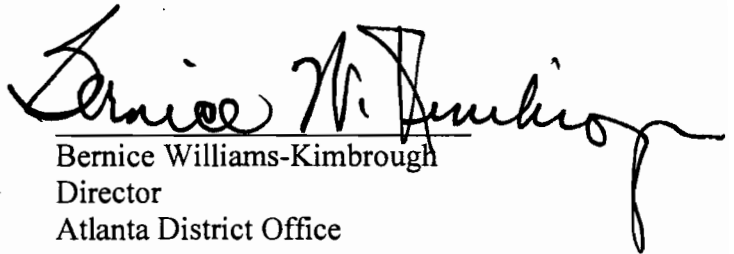
The confidentiality provisions of the statutes and Commission Regulations apply to information obtained during conciliation.

You are hereby reminded that Federal Law prohibits retaliation against persons who have exercised their rights to inquire or complain about matters they believe may violate the law. Discrimination against persons who have cooperated in the Commission's investigations is also prohibited. These protections apply regardless of the Commission's determination on the merits of the charge.

On Behalf of the Commission:

AUG 20 2014

Date


Bernice Williams-Kimbrough
Director
Atlanta District Office

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: _____ Agency(ies) Charge No(s): 410-2012-02249	
		and EEOC	
Name (indicate Mr., Ms., Mrs.) Mr. Kenneth T. Lynch		Home Phone (Incl. Area Code) (404) 242-9390	Date of Birth 07-20-1972
Street Address 8791 Freedom Way, Jonesboro, GA 30238		City, State and ZIP Code GA 30238	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CLOROX PRODUCTS MANUFACTURING		No. Employees, Members 500 or More	Phone No. (Include Area Code) (404) 363-8300
Street Address 17 Lake Mirror Lake, Forest Park, GA 30297		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) _____		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 12-21-2011 01-13-2012 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): This amends my original charge which was timely filed with the EEOC on February 9, 2012. I. I was hired by the above-named company on July 7, 2010, as a Production Operator. On December 21, 2011, I was suspended with pay by Lawrence Williams, Plant Manager. On January 13 2012, I was discharged. II. Mr. Lawrence Williams, Plant Manager, did not give me a reason for my suspension. Ms. Christine Meinger, Client Manager, and Lydia Jeung, Director, said that my discharge was due to "a threat to the employees and the work-site." III. I believe that I have been discriminated against because of my religion (Muslim), in violation of Title VII of the Civil Rights Act of 1964, as amended, and in retaliation for opposing unlawful employment practices, in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT	
Date 1/25/13		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Charging Party Signature Kenneth T. Lynch			

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Char presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 410-2011-05248	
_____ and EEOC State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.) Mr. Kenneth T. Lynch		Home Phone (Incl. Area Code) (404) 242-9390	Date of Birth 07-20-1972
Street Address City, State and ZIP Code 8791 Freedom Way, Jonesboro, GA 30238			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CLOROX PRODUCTS MANUFACTURING CO		No. Employees, Members 201 - 500	Phone No. (Include Area Code) (404) 363-8300
Street Address City, State and ZIP Code 17 Lake Mirror Road, Forest Park, GA 30297			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 08-23-2011 08-23-2011 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): In July 2010, I was hired by the above-named employer as a Packaging Operator. In December 2010 and August 2011, I engaged in protected activities. On August 23, 2011, I was disciplined with an oral reminder. The reason given for the discipline was for failing to follow instructions. I believe that I have been discriminated against due to my religion (Islam) and retaliated against for engaging in protected activities, in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> RECEIVED SEP 30 2011 EEOC-ATDO </div>	
		NOTARY – When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Date Sep 30, 2011 _____ Date Charging Party Signature			

5) c) **What happened to you that you believe was discriminatory/retaliation?**

01/12/2012-Discharged by Clorox. Accused of "being a threat to the sight, and employees." Would not give a specific incident, or elaborate on basis of discharge.

12/20/2011 Complained about work place violence in a "non-negotiable meeting"

I (Kenneth Lynch) complained about cursing, threats, acts of intimidation, and "habitual offenders," that go unpunished by the company. (Clorox)

12/21/2011, I (Kenneth Lynch) was suspended, and placed on "administrative leave" with no explanation, by the Plant Manager. I was told an "investigation" was going on, but I was not asked for any statement or input at any time. Nothing was explained to me. I (Kenneth Lynch) was yelled at, struck, and shoved, as I was escorted out the Plant by THREE people. (Plant Manager, Team Leader, and a security guard) Unheard of. These tactics were designed to bait me into a confrontation, and give them a reason to terminate me.

Name and title of Person(s) Responsible 1)Christine Meinger (Client Manager, Product Supply) 2) Lydia Jeung(Director of workforce services) 3) Lawrence Williams (Plant Manager) 4)HD Pinkston (Engineering Manager) 5) Jaye Casey (Huffman Security guard)

d) 08/01/2011 & 08/28/2011 Removed from over-time schedule for another worker. Even though my name was on the schedule before his. (Bobby Ogles)

Name and title of Person(s) Responsible Romano Dudley (Team Leader)* no longer employed by Clorox, Dale Lemack (Group 7)

e) 08/2011 Written up (Oral Warning) for not following documented procedure, but Supervisor ignored procedure, and implied there was a procedure in place that everyone knew about other than me.

Name and title of Person(s) Responsible Rebecca Bowman (Packaging Manager) Lawrence Williams (Plant Manager) Inger Perkins, (Human Resources Manager)

f) 11/27/2011 Move to night shift with no explanation. Even though shift change should be based on seniority. I have more seniority than at least three people on day shift.

Name and title of Person(s) Responsible, Rebecca Bowman (Packaging Manager) Inger Perkins (Human Resources Manager)

g) 10/2011 Had a cart shoved at me, while I had my head down working. Supposedly investigated by Plant Manager, Lawrence Williams. Lawrence Williams was callous, cold, and sarcastic. "Bobby said he did not do it, and you don't have any witnesses. I have others things I could be doing."

Name and title of Person(s) Responsible, Bobby Ogles (Crew Lead)
Lawrence Williams. (Plant Manager)

h) 11/2011 Sent home by Team Leader, Tameika Burts. (normally Clorox finds something for you to do. ex. clean, work on other lines, re-work, or fill in for a temporary worker, that should be sent home first) Tameika Burts assured me that sending me home would not affect my attendance. I later found out that I was charged half a point on my attendance.

Name and title of person(s) responsible: Tameika Burts. (Team Leader)
Rebecca Bowman (Packaging Manager)

I) 12/21/2011 My name, picture, personal information, and car make, model, and tag information was placed all around the plant, because Clorox identified me as a "threat, to the sight, and it's employees." (Basically a wanted poster)

*During an "investigation", where I had already been convicted. MY PICTURE, AND INFORMATION STILL IS AT THE CLOROX FACILITY. This tactic was also designed to humiliate me, even after I was gone.

Name and title of person(s) responsible: Lawrence Williams (Plant Manager) Christine Meinger (Client Manager, Product Supply) Lydia Jeung (Director of workforce services)

J) 8/2011-12/2011 Numerous employees and Supervisors yelling, threatening, and attempting to provoke me into an altercation. I (Kenneth Lynch) complained to supervisors, and the Clorox hot-line, which was designed to stop harassment and violation of company policy. Harassment got progressively worse, on all fronts. This tactic, was designed to create the illusion that I was "confrontational", and disruptive. And ultimately bait me into a confrontation.

Name and title of person(s) responsible: Bobby Ogles(Crew Lead) Michael Fabre (Crew Lead) Reggie Johnson (Crew Lead) Rebecca Bowman (Packaging Manager) Lawrence Williams (Plant Manager) Tom Coffman (Mechanic) Inger Perkins (Human Resources Manager)

K) 08/2011-12/2011 Clorox and it's employees told co-workers and contractors to "stay away from that guy, he is trouble. Don't even talk to him."

This created an atmosphere of hostility, and dis-trust. Not to mention an atmosphere of isolation.

Name and title of person(s) responsible: Dewayne Murphy (Line lead) Bobby Ogles (Crew Lead) Reggie Johnson (Crew lead) Derrick Miller (Team Lead) Rebecca Bowman(Packaging Manager) HD Pinkston (Engineering Manager) Lawrence Williams (Plant Manager)

L) 08/2011-12/2011 Constant personal attacks on personality, and character. Slandorous gossip, and character assassination, that attempted to isolate, and beat me down mentally. " You need to smile more. Ask people how they are doing. Engage in conversations with them. Recognize them in meetings." I was called, "crazy," "dumb-ass" I was told, "you don't wanna make me mad." " He (Kenny) won't make it." "He can't get along with people." " All he (Kenneth) does, is go around and tell on people, that is why people don't like him." Clorox created and maintained an atmosphere that made it ok to harass, and bait me into a confrontation, with no repercussions. Investigations of my complaints were a farce. Harassing me was a vicious game, as evidenced by my suspension, and escort out the plant, by Management, and their security. It was Clorox grand spectacle to humiliate, and degrade me, so everyone could see. Forest Park Police even said, " If you were such a threat, how come they did not call us? If there is a problem, they usually do." Sgt Monroe

Name and the title of person(s) responsible: Dewayne Murphy (Line Owner) Derrick Miller (Team Leader) Bobby Ogles(Crew Lead) Reggie Johnson(Crew Lead) Rebecca Bowman (Packaging Manager) Lawrence Williams (Plant Manager) Clorox Corporate, who made my anonymous letters/complaints public.

6. Why do you believe these actions were discriminatory/retaliatory?

a) I am a witness in sexual discrimination case against Clorox, and they are well aware of that. CP. Vanette Stephen filed in 06/2011 # 410-2011-04458

b) I have complained numerous times to Management, and corporate about Religious discrimination, harassment, and retaliation.

c) I filed a charge (EEOC) of discrimination against Clorox in 9/2011, but was dismissed.

d) No one at the plant has been harassed, threatened, humiliated, transferred, shoved, struck, suspended, and terminated like me. THERE IS NO COMPARISON. These tactics were used to isolate and bait me into a confrontation.

e) Everything that Clorox and its employees has done to me is illegal. (this is based on their code of conduct) Anyone else accused of doing these things to another employee would have been terminated along time ago. I was the whipping boy, and everyone in the plant knew it. It was no secret that Management hated me.

f) My job was repeatedly threatened by Management, and employees. Human Resources, The Plant Manager, and the training and qualifications Manager.

g) Mrs. Bernice Williams-Kimbrough, in a letter^{suggested} that I "may have grounds to file a separate charge of employment discrimination." "These employment~~ment~~ actions clearly fall within the definition of an "adverse action," and would rightly serve as the basis for a new charge."

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Atlanta District Office

100 Alabama Street, SW, Suite 4R30
Atlanta, GA 30303
TTY (404) 562-6801
FAX (404) 562-6909/6910

INFORMATION SHEET FOR CHARGING PARTIES

Your charge has been accepted by the Equal Employment Opportunity Commission (EEOC) and assigned charge number 410-291-05248. The following represents a general overview of how we will process your charge of employment discrimination.

OUR RESPONSIBILITIES:

- ◆ A copy of the charge will be served on the Respondent within the **next ten days**. We will request that it provide a position statement which is simply a letter or report in which the Respondent states its understanding of the events referred to in the charge.
- ◆ Initially the charge will be reviewed to assess the allegations in an effort to determine the appropriate procedure to use in handling the charge. Rest assured, the initial review will be based on the information you provided during the intake process and the initial review will take less than ten days.
- ◆ Your charge may be referred to our Alternate Dispute Resolution (ADR) Unit for possible mediation. Your case file can remain in the ADR unit for up to 90 days. If Respondent agrees to mediation, a mediator will contact you inviting you to participate in mediation. If you or the Respondent decline mediation, your case file will be transferred to Enforcement, and will be assigned to an investigator within 90 days after receipt from the ADR unit. **Please do not call during this period simply seeking to find out "what is happening" to the charge.**
- ◆ Once assigned, the investigator will mail you a letter. This letter is mailed **only** to provide you the name and number of the investigator assigned to your charge(s). We are constantly working to investigate charges as quickly as possible, while at the same time attempting to spend as much time as possible on each investigation.
- ◆ The amount of time required for the investigator to obtain, review, and analyze evidence will depend on the complexity of the charge, the number of other charges assigned to the investigator and the completeness of the information received from you and the Respondent. Once the investigator start investigating your allegation(s) of employment discrimination, you will be asked questions, may ask questions and may review records. Based on the evidence gathered, the investigator will prepare a recommendation on whether discrimination has occurred. You and the Respondent will be given a determination letter which will say whether there is reason or not to believe that discrimination has occurred. **Our current average processing time is 6-9 months after the charge is assigned to an investigator.**



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Atlanta District Office

100 Alabama Street, SW, Suite 4R30
Atlanta, GA 30303

Kenneth T. Lynch
8791 Freedom Way
Jonesboro, GA 30238

Re: EEOC Charge No. 410-2011-05248
Clorox Products Manufacturing Co.

Dear Mr. Lynch:


This letter will serve as an explanation concerning our determination of the merits on the above-referenced charge of discrimination. The determination relies on the following information:

On September 30, 2011, you filed a charge that alleges you were discriminated against due to your religion and retaliated against for engaging in protected activities when you were disciplined with an oral reminder on August 23, 2011. You provided additional information including allegations of harassment.

Examination of the information obtained from you during the Intake processing of your charge and after revealed no evidence to indicate that you have been harassed, discriminated, and retaliated against due to your religion and/or your participation in protected activities. There is no causal connection between the protected activities that you have engaged in and the oral reminder that you were issued. Additionally, no evidence was presented that the alleged harassment was based in your protected status (Muslim). Therefore, the EEOC finds no violation of Title VII of the Civil Rights Act of 1964.

Enclosed please find your Dismissal and Notice of Rights and Information Sheet. If you want to pursue your charge further, you have the right to sue the employer named in your charge in U.S. District Court within 90 days from the date you receive the enclosed notice. Please read the documents carefully.

Sincerely,


Joseph Jones
Federal Investigator

OCT 18 2011

Date

Enclosures



410-2011-05248N

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

RECEIVED

AUG 11 2011

EEOC-ATDO

SEP 20 2011

EEOC-ATDO

Please immediately complete the entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine EEOC coverage. Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "n/a." Please Print.

1. Personal Information

Last Name: Lynch First Name: Kenneth MI: TN
 Street or Mailing Address: 8791 Freedom Way Apt Or Unit #: 8791
 City: Jonesboro County: Clayton State: GA ZIP: 30238
 Phone Numbers: Home: (404) 242-9390 Work: (404) 363-8300
 Cell: (404) 242-9390 Email Address: Norcrossenry@yahoo.com
 Date of Birth: 7-20-92 Sex: Male ☒ Female ☐ Do You Have a Disability? ☐ Yes ☒ No

Please answer each of the next three questions.

- i. Are you Hispanic or Latino? ☐ Yes ☒ No
- ii. What is your Race? Please choose all that apply. ☐ American Indian or Alaska Native ☐ Asian ☐ White
☒ Black or African American ☐ Native Hawaiian or Other Pacific Islander

iii. What is your National Origin (country of origin or ancestry)? United States

Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: Ebony Gray Relationship: Daughters mother
 Address: 716 Amanda Drive City: Lithonia State: GA Zip Code: 30058
 Home Phone: (404) 242-4104 Other Phone: ()

2. I believe that I was discriminated against by the following organization(s): (Check those that apply)

☒ Employer ☐ Union ☐ Employment Agency ☐ Other (Please Specify) _____

Organization Contact Information (If the organization is an employer, provide the address where you actually worked. If you work from home, check here ☐ and provide the address of the office to which you reported.) If more than one employer is involved, attach additional sheets.

Organization Name: Clorox
 Address: 17 Lake Mirror Rd County: Clayton
 City: Forest Park State: GA Zip: 30299 Phone: (404) 363-8300
 Type of Business: Manufacturing Job Location if different from Org. Address: _____
 Human Resources Director or Owner Name: Gina Bridges-White Phone: 443-806-3710
 Number of Employees in the Organization at All Locations: Please Check (✓) One
☐ Fewer Than 15 ☐ 15 - 100 ☐ 101 - 200 ☐ 201 - 500 ☒ More than 500

3. Your Employment Data (Complete as many items as you can) Are you a Federal Employee? ☐ Yes ☒ No

Date Hired: 7/7/2010 Job Title At Hire: Operator
 Pay Rate When Hired: 18.17 Last or Current Pay Rate: 19.31
 Job Title at Time of Alleged Discrimination: Packaging Operator Date Quit/Discharged: N/A
 Name and Title of Immediate Supervisor: Romano, Dudley

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

5) what happened to you that you believe was discriminatory?

C) 1/2011 Written up for a quality issue that was the crew leads fault, but the blame was placed on me. I warned Management at Clorox that my co-workers were setting me up for failure, and undermining my work. I made several complaints to Human Resources and Management about Harassment, based on Religion before this incident. **Person Responsible was: Larry Davis (Crew Lead) Derrick Miller (Team Leader) Rebecca Bowman (Packaging Manager)**

D) 1/2011 Bible verses placed on my computer, after I told him that earlier scripture placed there was offensive. **Person Responsible: Donald Henderson (Packaging Operator)**

E) 2/2011 Robbie Clowers said " Muslims don't like nobody. They don't like whites, they don't like blacks. To all of them, we are all infidels." **Person Responsible for incident: Robbie Clowers (Moulding Operator)**

F) 8/2011 Written up for Quality incident that I told Management about. Was lied to about procedure by supervisor, and co-worker. Wanted to get clarification from Manager, but she did not want to hear anything I said. Ms. Bowman tried to force me to give her personal notebook that I write information including my prayers. Would not clarify issue or allow me to write a statement about incident. (standard practice, if you are doing an investigation) **Person Responsible: Rebecca Bowman (Packaging Manager) and Lawrence Williams (Plant Manager)**

G) 11/2011 Removed from my line, and placed on LD1, on night shift. Even though I have more seniority than 3 people on day shift on LD1. Even though I told Clorox, (Including Human Resources Manager) that this 12 hour night shift conflicts with Religious duties, and practices. Human Resources Manager told me she could not accommodate me. " DO what you gotta do." Inger Perkins *However, Clorox gives Ms. Laurie Evans (7 day Adventist,) anytime she wants off, with no problem, and allows her to leave early on Fridays, and Laurie never works on Saturdays. **Person Responsible Rebecca Bowman (Packaging Manager) Inger Perkins (Human Resources Manager) and Lawrence Williams (Plant Manager)**

H) 12/2011 Suspended from work 12/21/2011 pending an investigation. Plant Manager Lawrence Williams said I was on "Administrative Leave" and would not elaborate on investigation or suspension. Week before sent Clorox complaints about work place violence, harassment, and discriminatory practices at Clorox. **Person Responsible: Lawrence Williams, (Plant Manager)**

I) 12/2011 Plant Manager, Lawrence Williams knocked my hand down and yelled at me "Don't talk, to or touch anyone! Just leave the plant! Did you hear what I said?" Lawrence Williams, as he and 2 others escorted me out of plant.....for no reason. Security Guard, Jay Casey shoved me in the back, and yelled "GO!" while I was walking for no reason. I filed a police report, at the Forest Park police department the same night. **Person Responsible: Lawrence Williams, (Plant Manager) Jay Casey (Huffman, Security)**

What happened to you that you believe was discriminatory/retalitory?

- A) 08/23/2011 I was written up for an issue/procedure that I had already alerted co-workers and Management about.

There was no procedure in place for this action against me. Actually this goes against the POLICY of "no defect goes unnoticed." Management wrote me (and only me, 2 other people were on the line) up for doing my job. **Management oscillated back and forth as to why I was written up.** Rebecca Bowman wanted me to give her my personal note book, that I write my prayers and personal thoughts, dismissing crew lead, Bobby Ogles statements "me and Romano (former Supervisor) told him (Kenneth) to stop the line when a case is rejected." This harassment/bullying/duplicity was validated by Assistant Manager, Bobby Wheeler during the write up 8/23/0/2011 when Rebecca Bowman left the room, "why didn't you just give her the notes." Bobby Wheeler **Management, and Human Resources invented policy to write me up. No one has ever been written up for this before, and after I have.**

Person responsible : Human Resources (Inger Perkins) Packaging Manager (Rebecca Bowman) Plant Manger (Lawrence Williams)

- B) 08/2011-present I have been repeatedly touched ,yelled at, threatened and almost hit with a cart by co-workers and Management .

Persons Responsible: Crew Lead (Bobby Ogles) Crew Lead (Mike Fabre) Packaging Manager(Rebecca Bowman) Plant Manager(Lawrence Williams)

- C) 11/2011 Moved from HC-3 to LD1 for no reason or explanation by Management.

Persons Responsible: Human Resources, (Inger Perkins) Packaging Manager (Rebecca Bowman) and Plant Manager (Lawrence Williams)

- D) 11/2011 Placed on nightshift, with no explanation. Even though this violates company policy. I have more seniority than numerous people on day shift. I have told Management this numerous times. Person Responsible: Human Resources, (Inger Perkins) Packaging Manager (Rebecca Bowman) Plant Manager (Lawrence Williams)

- E) 12/2011 I was verbally abused, and physically attacked by Plant Manager, Lawrence Williams, and Huffman Security guard, "Jay Casey" when I was suspended, and escorted out of the plant for no reason. (Investigation Pending) Filed a police report at the Forest park police Department . case # 11-007343

If Job Applicant, Date You Applied for Job _____

Job Title Applied For

Packaging Operator**4. What is the reason (basis) for your claim of employment discrimination?**

FOR EXAMPLE, if you feel that you were treated worse than someone else because of race, you should check the box next to Race. If you feel you were treated worse for several reasons, such as your sex, religion and national origin, you should check all that apply. If you complained about discrimination, participated in someone else's complaint, or filed a charge of discrimination, and a negative action was threatened or taken, you should check the box next to Retaliation.

☐ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☒ Religion ☒ Retaliation ☐ Pregnancy ☐ Color (typically a difference in skin shade within the same race) ☐ Genetic Information; choose which type(s) of genetic information is involved:
☐ i. genetic testing ☐ ii. family medical history ☐ iii. genetic services (genetic services means counseling, education or testing)

If you checked color, religion or national origin, please specify: Muslim

If you checked genetic information, how did the employer obtain the genetic information? _____

Other reason (basis) for discrimination (Explain). _____

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, the action(s), and the name(s) and title(s) of the person(s) who you believe discriminated against you. Please attach additional pages if needed.

(Example: 10/02/06 - Discharged by Mr. John Soto, Production Supervisor)

A) Date: 2/9/2011 Action: Ramon Dudley (TEAM LEADER) hit me in the chest, and said "You're not going to get some of the brothers from the NATION on me."

Name and Title of Person(s) Responsible: Ramon Dudley, TEAM LEADER (Supervisor)

B) Date: 2/11/2011 Action: Lawrence Williams pulled me from area, and had me dumping triggers & replace to had been degraded & usually a temporary worker does this. Took certification then then gave me a new one. In essence, I had to start over with certification.

Name and Title of Person(s) Responsible: LAWRENCE WILLIAMS (Plant Manager)**6. Why do you believe these actions were discriminatory? Please attach additional pages if needed.**

1) These actions were designed to humiliate me. 2) they are against company policy. 3) they were based on fear, and hate, on what they think I am. 4) they were designed to intimidate, and subject me to mockery by fellow workers. 5) I was targeted by Management and employees because of beliefs, and what they thought I was. 7) This has never happened to anyone else.

7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His or Her Job Title?

1. I don't talk much. 2) I don't smile enough. 3) I don't engage in personal conversation. 4) I need to relax more. 5) I write everything down. 6) I'm "weird". 6) I'm "aggressive," "confrontational," "I seem angry." 7. I am always out to get someone. 8. I don't converse with people/fellow workers. 9. I'm too quiet. 10) I ask too many questions. Rebecca Bowman (Packaging Mgr) Bobby Oyles (Crewlead) Bobby Flowers (Molding Operator) Reggie Johnson (Crewlead) Donald Thompson

8. Describe who was in the same or similar situation as you and how they were treated. For example, who else applied for the same job you did, who else had the same attendance record, or who else had the same performance? Provide the race, sex, age, national origin, religion, or disability of these individuals, if known, and if it relates to your claim of discrimination. For example, if your complaint alleges race discrimination, provide the race of each person; if it alleges sex discrimination, provide the sex of each person; and so on. Use additional sheets if needed.

Of the persons in the same or similar situation as you, who was treated better than you?

A. Full Name	Race, sex, age, national origin, religion or disability	Job Title
<u>Kyle Nichols</u>	<u>Wht, male, 26, US, Christian</u>	<u>Packaging Operator</u>

Description of Treatment

trained correctly, stayed in I area, for probationary period. WAS NOT harassed about religion.

B. Full Name	Race, sex, age, national origin, religion or disability	Job Title
<u>Tramaine Phillips</u>	<u>BLK, M, 28, US, Christian</u>	<u>Packaging Operator</u>

Description of Treatment

trained in I area during probationary period. WAS NOT harassed about his Religion.

Of the persons in the same or similar situation as you, who was treated *worse* than you?

A. Full Name <i>N/A</i>	Race, sex, age, national origin, religion or disability	Job Title
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Description of Treatment

B. Full Name <i>N/A</i>	Race, sex, age, national origin, religion or disability	Job Title
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Description of Treatment

Of the persons in the same or similar situation as you, who was treated the *same* as you?

A. Full Name <i>N/A</i>	Race, sex, age, national origin, religion or disability	Job Title
----------------------------	---	-----------

Description of Treatment

B. Full Name <i>N/A</i>	Race, sex, age, national origin, religion or disability	Job Title
----------------------------	---	-----------

Description of Treatment

Answer questions 9-12 only if you are claiming discrimination based on disability. If not, skip to question 13. Please tell us if you have more than one disability. Please add additional pages if needed.

9. Please check all that apply:

N/A

- ☐ Yes, I have a disability
- ☐ I do not have a disability now but I did have one
- ☐ No disability but the organization treats me as if I am disabled

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything? (e.g., lifting, sleeping, breathing, walking, caring for yourself, working, etc.).

N/A

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability?

N/A Yes ☐ No ☐

If "Yes," what medication, medical equipment or other assistance do you use?

12. Did you ask your employer for any changes or assistance to do your job because of your disability?

N/A Yes ☐ No ☐

If "YES", when did you ask? _____ How did you ask (verbally or in writing)? _____

Who did you ask? (Provide full name and job title of person)

Describe the changes or assistance that you asked for:

How did your employer respond to your request?

13. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what they will say. (Please attach additional pages if needed to complete your response)

A. Full Name	Job Title	Address & Phone Number
Vanette Stephens	NA	Jonesboro, 404-988-2644

What do you believe this person will tell us?

I was constantly harassed, degraded, and moved around facility, because of my beliefs. Isolated, and slandered, by co-workers, and management.

B. Full Name	Job Title	Address & Phone Number
Mike Jennings	Operator	Stockbridge, GA 404-519-6580

What do you believe this person will tell us?

I was talked about, and harassed by co-workers. Constantly moved during probationary period.

14. Have you filed a charge previously in this matter with EEOC or another agency? Yes ☒ No ☐

15. If you have filed a complaint with another agency, provide name of agency and date of filing:

16. Have you sought help about this situation from a union, an attorney, or any other source? Yes ☐ No ☒

Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Please check one of the boxes below to tell us what you would like us to do with the information you are providing on this questionnaire. If you would like to file a charge of job discrimination, you must do so either within 180 days from the day you knew about the discrimination, or within 300 days from the day you knew about the discrimination if the employer is located in a place where a state or local government agency enforces laws similar to the EEOC's laws. If you do not file a charge of discrimination within the time limits, you will lose your rights. If you would like more information before filing a charge or you have concerns about EEOC's notifying the employer, union, or employment agency about your charge, you may wish to check Box 1. If you want to file a charge, you should check Box 2.

Box 1 ☐ I want to talk to an EEOC employee before deciding whether to file a charge. I understand that by checking this box, I have not filed a charge with the EEOC. I also understand that I could lose my rights if I do not file a charge in time.

Box 2 ☒ I want to file a charge of discrimination, and I authorize the EEOC to look into the discrimination I described above. I understand that the EEOC must give the employer, union, or employment agency that I accuse of discrimination information about the charge, including my name. I also understand that the EEOC can only accept charges of job discrimination based on race, color, religion, sex, national origin, disability, age, genetic information, or retaliation for opposing discrimination.


Signature

8/11/2011

Today's Date

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

1. FORM NUMBER/TITLE/DATE. EEOC Intake Questionnaire (9/20/08).
2. AUTHORITY. 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626. 42 U.S.C. 12117(a), 42 USC §2000ff-6.
3. PRINCIPAL PURPOSE. The purpose of this questionnaire is to solicit information about claims of employment discrimination, determine whether the EEOC has jurisdiction over those claims, and provide charge filing counseling, as appropriate. Consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(c), this questionnaire may serve as a charge if it meets the elements of a charge.
4. ROUTINE USES. EEOC may disclose information from this form to other state, local and federal agencies as appropriate or necessary to carry out the Commission's functions, or if EEOC becomes aware of a civil or criminal law violation. EEOC may also disclose information to respondents in litigation, to congressional offices in response to inquiries from parties to the charge, to disciplinary committees investigating complaints against attorneys representing the parties to the charge, or to federal agencies inquiring about hiring or security clearance matters.
5. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge. It is not mandatory that this form be used to provide the requested information.

EEOC FORM 131 (11/09)

U.S. Equal Employment Opportunity Commission

Ms. Inger D. Perkins
Atlanta Plant HR Manager
THE CLOROX COMPANY
17 Lake Mirror Road
Forest Park, GA 30297

PERSON FILING CHARGE

Kenneth T. Lynch

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

410-2011-05248**NOTICE OF CHARGE OF DISCRIMINATION**

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:



Title VII of the Civil Rights Act (Title VII)



The Equal Pay Act (EPA)



The Americans with Disabilities Act (ADA)



The Age Discrimination in Employment Act (ADEA)



The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

1. ☒ No action is required by you at this time.
2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
3. ☐ Please provide by _____ a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. ☐ Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by _____ to _____

If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Joseph A. Jones,
Investigator

EEOC Representative

Telephone

(404) 562-6903

Atlanta District Office
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303
Fax: (404) 562-6905

Enclosure(s):



Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☐ Race ☐ Color ☐ Sex ☒ Religion ☐ National Origin ☐ Age ☐ Disability ☒ Retaliation ☐ Genetic Information ☐ Other

See enclosed copy of charge of discrimination.

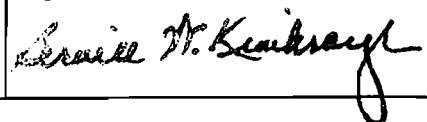
Date

October 6, 2011

Name / Title of Authorized Official

Bernice Williams-Kimbrough,
District Director

Signature



EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Kenneth T. Lynch**
8791 Freedom Way
Jonesboro, GA 30238

From: **Atlanta District Office**
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

410-2011-05248

J. Jones,
Federal Investigator

(404) 562-6903

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

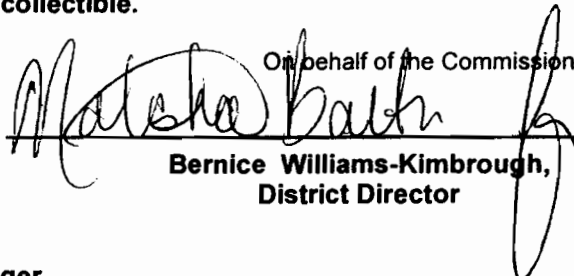
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Enclosures(s)

On behalf of the Commission


Bernice Williams-Kimbrough,
District Director

OCT 18 2011

(Date Mailed)

cc:

Inger D. Perkins
Atlanta Plant HR Manager
THE CLOROX COMPANY
17 Lake Mirror Road
Forest Park, GA 30297

Follow-up

- ☒ Answer Any Questions
- ☒ Copy of Date Stamped Charge to CP

INTERNAL PROCESSING

IMS Data Entry

- ☒ CP, R, Allegations and General Data Entered
- ☒ IMS Notes Updated
- ☒ Communication Method Identified
- ☒ Respondent Local List Utilized/Updated
- ☒ EEO-1 Data Imported
- ☒ Noose/KKK/Swastikas/Related Symbols and Words Identified
- ☒ N-word Identified
- ☒ ERASE Coding

Internal Procedures

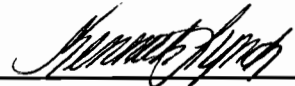
- ☒ Complete Category Assessment Forms
- ☒ Credibility Assessment
- ☒ Other Procedures Unique to the Office, Identify Below

*CP's allegations are
not credible,*

E17868

07

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: <input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC Agency(ies) Charge No(s): 410-2012-02249	
State or local Agency, if any: _____ and EEOC			
Name (indicate Mr., Ms., Mrs.) Mr. Kenneth T. Lynch		Home Phone (Incl. Area Code) (404) 242-9390	
Date of Birth 07-20-1972			
Street Address 8791 Freedom Way, Jonesboro, GA 30238			
City, State and ZIP Code			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CLOROX PRODUCTS MANUFACTURING		No. Employees, Members 500 or More	
Phone No. (Include Area Code) (404) 363-8300			
Street Address 17 Lake Mirror Lake, Forest Park, GA 30297			
City, State and ZIP Code			
Name		No. Employees, Members	
Phone No. (Include Area Code)			
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest: 12-21-2011 Latest: 01-13-2012 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): This amends my original charge which was timely filed with the EEOC on February 9, 2012. I. I was hired by the above-named company on July 7, 2010, as a Production Operator. On December 21, 2011, I was suspended with pay by Lawrence Williams, Plant Manager. On January 13 2012, I was discharged. II. Mr. Lawrence Williams, Plant Manager, did not give me a reason for my suspension. Ms. Christine Meinger, Client Manager, and Lydia Jeung, Director, said that my discharge was due to "a threat to the employees and the work-site." III. I believe that I have been discriminated against because of my religion (Muslim), in violation of Title VII of the Civil Rights Act of 1964, as amended, and in retaliation for opposing unlawful employment practices, in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT	
Date 1/25/13		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Charging Party Signature 		(month, day, year)	

A22



RECEIVED

DEC 30 2011

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

710-2012-01513

RECEIVED

Please immediately complete the entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine EEOC coverage. Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "n/a." Please Print.

1. Personal Information

Last Name: LYNCH First Name: Kenneth MI: T

Street or Mailing Address: 8791 Freedomway Apt Or Unit #: _____

City: Jonesboro County: Clayton State: GA ZIP: 30238

Phone Numbers: Home: (____) _____ Work: (____) _____

Cell: (404) 242-9390 Email Address: notcrosssary@yahoo.com

Date of Birth: 7/20/72 Sex: Male ☒ Female ☐ Do You Have a Disability? ☐ Yes ☒ No

Please answer each of the next three questions.

i. Are you Hispanic or Latino? ☐ Yes ☒ No

ii. What is your Race? Please choose all that apply. ☐ American Indian or Alaska Native ☐ Asian ☐ White ☒ Black or African American ☐ Native Hawaiian or Other Pacific Islander

iii. What is your National Origin (country of origin or ancestry)? United States

Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: Ebony Gray Relationship: Friend

Address: 8791 Freedomway City: Jonesboro State: GA Zip Code: 30238

Home Phone: (____) _____ Other Phone: (404) 242-4104

2. I believe that I was discriminated against by the following organization(s): (Check those that apply)

☒ Employer ☐ Union ☐ Employment Agency ☐ Other (Please Specify) _____

Organization Contact Information (If the organization is an employer, provide the address where you actually worked. If you work from home, check here ☐ and provide the address of the office to which you reported.) If more than one employer is involved, attach additional sheets.

Organization Name: The Clorox Company

Address: 1221 Broadway County: _____

City: Oakland State: CA Zip: 94612-1888 Phone: (____) _____

Type of Business: manufacturing Job Location if different from Org. Address: 17 Lake mirror road, Forest Pk, GA 3024

Human Resources Director or Owner Name: Lydia Seung Phone: _____

Number of Employees in the Organization at All Locations: Please Check (✓) One 510-271-7892

☐ Fewer Than 15 ☐ 15 - 100 ☐ 101 - 200 ☐ 201 - 500 ☒ More than 500

3. Your Employment Data (Complete as many items as you can) Are you a Federal Employee? ☐ Yes ☐ No

Date Hired: 7/7/2010 Job Title At Hire: Operator

Pay Rate When Hired: 18.17 Last or Current Pay Rate: 19.81

Job Title at Time of Alleged Discrimination: Packaging Operator Date Quit/Discharged: N/A

Name and Title of Immediate Supervisor: Gavin Huda (Team Leader)

A22

If Job Applicant, Date You Applied for Job NA Job Title Applied For _____

4. What is the reason (basis) for your claim of employment discrimination?

FOR EXAMPLE, if you feel that you were treated worse than someone else because of race, you should check the box next to Race. If you feel you were treated worse for several reasons, such as your sex, religion and national origin, you should check all that apply. If you complained about discrimination, participated in someone else's complaint, or filed a charge of discrimination, and a negative action was threatened or taken, you should check the box next to Retaliation.

☐ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☒ Religion ☒ Retaliation ☐ Pregnancy ☐ Color (typically a difference in skin shade within the same race) ☐ Genetic Information; choose which type(s) of genetic information is involved:

☐ i. genetic testing ☐ ii. family medical history ☐ iii. genetic services (genetic services means counseling, education or testing)

If you checked color, religion or national origin, please specify: Muslim

If you checked genetic information, how did the employer obtain the genetic information? _____

Other reason (basis) for discrimination (Explain). _____

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, the action(s), and the name(s) and title(s) of the person(s) who you believe discriminated against you. Please attach additional pages if needed.

(Example: 10/02/06 - Discharged by Mr. John Soto, Production Supervisor)

A) Date: ~~10/2010~~ 10/2010 Action: (TRAINER) LINDA HARRIS, After hearing I was Muslim from classmate confronted me "Are you a racist? Are you a terrorist?" You can get you ass away from here with that shit.

Name and Title of Person(s) Responsible: TRAINER, Linda HARRIS

B) Date: 2/7/2011 Action: Hit in chest, "you're not going to get same of the brothers from the nation on me are you?"

Name and Title of Person(s) Responsible: Roman Dudley TEAM LEADER (no longer employed)

6. Why do you believe these actions were discriminatory? Please attach additional pages if needed.

- 1) Comments were based on Religious stereotype of Islam 2) It was done to degrade, mock
3) I was identified by my beliefs 4) Both viewed Muslims with contempt.

7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His or Her Job Title?

"That's just the way she is." (Ed Miller Operator/TRAINER)

"It was just playing. He did not mean anything by it."

"Was he playing, are you sure he meant to hurt you?" Ginger Perkins

8. Describe who was in the same or similar situation as you and how they were treated. For example, who else applied for the same job you did, who else had the same attendance record, or who else had the same performance? Provide the race, sex, age, national origin, religion, or disability of these individuals, if known, and if it relates to your claim of discrimination. For example, if your complaint alleges race discrimination, provide the race of each person; if it alleges sex discrimination, provide the sex of each person; and so on. Use additional sheets if needed.

Of the persons in the same or similar situation as you, who was treated better than you?

A. Full Name	Race, sex, age, national origin, religion or disability	Job Title
TRAIANE Phillips	BLK, M, 29, US, Christian	Operator
Description of Treatment	Stayed on original line (HC-1), was not moved around, was not hit physically	
B. Full Name	Race, sex, age, national origin, religion or disability	Job Title
LAURIE, Evans	Wht, Female, 7 day adventist	Operator
Description of Treatment	Allowed to leave at 5pm on Fridays, does not work on Saturdays. Take days off for Religious reasons	

A23 Not harassed ab -

or the persons in the same or similar situation as you, who was treated worse than you?

A. Full Name <i>NA</i>	Race, sex, age, national origin, religion or disability	Job Title
---------------------------	---	-----------

Description of Treatment

B. Full Name <i>NA</i>	Race, sex, age, national origin, religion or disability	Job Title
---------------------------	---	-----------

Description of Treatment

Of the persons in the same or similar situation as you, who was treated the same as you?

A. Full Name <i>NA</i>	Race, sex, age, national origin, religion or disability	Job Title
---------------------------	---	-----------

Description of Treatment

B. Full Name <i>NA</i>	Race, sex, age, national origin, religion or disability	Job Title
---------------------------	---	-----------

Description of Treatment

Answer questions 9-12 only if you are claiming discrimination based on disability. If not, skip to question 13. Please tell us if you have more than one disability. Please add additional pages if needed.

9. Please check all that apply:

NA

- ☐ Yes, I have a disability
- ☐ I do not have a disability now but I did have one
- ☐ No disability but the organization treats me as if I am disabled

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything? (e.g., lifting, sleeping, breathing, walking, caring for yourself, working, etc.).

NA

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability?

NA Yes ☐ No ☐

If "Yes," what medication, medical equipment or other assistance do you use?

NA

12. Did you ask your employer for any changes or assistance to do your job because of your disability?

NA Yes ☐ No ☐

If "YES," when did you ask? _____ How did you ask (verbally or in writing)? _____

Who did you ask? (Provide full name and job title of person)

Describe the changes or assistance that you asked for:

How did your employer respond to your request?

Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what will say. (Please attach additional pages if needed to complete your response)

A. Full Name	Job Title	Address & Phone Number
Vanette Stephens	NA	Jonesboro 404-988-2641

What do you believe this person will tell us? *I was constantly harassed because of my belief*

B. Full Name	Job Title	Address & Phone Number
Leroy Taylor	EIC	# McDonough, 404-932-30

What do you believe this person will tell us? *I have been constantly harassed, and attacked management, and employees at Clorox*

14. Have you filed a charge previously in this matter with EEOC or another agency? Yes ☒ No ☐

15. If you have filed a complaint with another agency, provide name of agency and date of filing: *NO*

16. Have you sought help about this situation from a union, an attorney, or any other source? Yes ☒ No ☐

Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Do not wish to elaborate in detail, other than the Department of Justice

Please check one of the boxes below to tell us what you would like us to do with the information you are providing on this questionnaire. If you would like to file a charge of job discrimination, you must do so either within 180 days from the day you learned about the discrimination, or within 300 days from the day you knew about the discrimination if the employer is located in a place where a state or local government agency enforces laws similar to the EEOC's laws. If you do not file a charge of discrimination within the time limits, you will lose your rights. If you would like more information before filing a charge or you have concerns about EEOC's notifying the employer, union, or employment agency about your charge, you may wish to check Box 1. If you want to file a charge, you should check Box 2.

Box 1 ☐ I want to talk to an EEOC employee before deciding whether to file a charge. I understand that by checking this box, I have not filed a charge with the EEOC. I also understand that I could lose my rights if I do not file a charge in time.

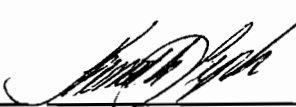
Box 2 ☒ I want to file a charge of discrimination, and I authorize the EEOC to look into the discrimination I described above. I understand that the EEOC must give the employer, union, or employment agency that I accuse of discrimination information about the charge, including my name. I also understand that the EEOC can only accept charges of job discrimination based on race, color, religion, sex, national origin, disability, age, genetic information, or retaliation for opposing discrimination.

Hummer J. Smith
Signature

12/29/2011
Today's Date

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof.

1. FORM NUMBER/TITLE/DATE. EEOC Intake Questionnaire (9/20/08).
2. AUTHORITY. 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626. 42 U.S.C. 12117(a), 42 USC §2000ff-6.
3. PRINCIPAL PURPOSE. The purpose of this questionnaire is to solicit information about claims of employment discrimination, determine whether the EEOC has jurisdiction over those claims, and provide charge filing counseling, as appropriate. Consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(c), this questionnaire may serve as a charge if it meets the elements of a charge.
4. ROUTINE USES. EEOC may disclose information from this form to other state, local and federal agencies as appropriate or necessary to carry out the Commission's functions, or if EEOC becomes aware of a civil or criminal law violation. EEOC may also disclose information to respondents in litigation, to congressional offices in response to inquiries from parties to the charge, to disciplinary committees investigating complaints against attorneys representing the parties to the charge, or to federal agencies inquiring about hiring or security clearance matters.
5. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge. It is not mandatory that this form be used to provide the requested information.

CHARGE OF DISCRIMINATION		Charge Presented To: _____ Agency(ies) Charge No(s): _____	
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
_____ and EEOC State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.) Mr. Kenneth T. Lynch		Home Phone (Incl. Area Code) (404) 242-9390	Date of Birth 07-20-1972
Street Address 8791 Freedom Way, Jonesboro, GA 30238		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CLOROX PRODUCTS MANUFACTURING		No. Employees, Members 500 or More	Phone No. (Include Area Code) (404) 363-8300
Street Address 17 Lake Mirror Lake, Forest Park, GA 30297		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) _____		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 12-21-2011 01-13-2012 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I. I was hired by the above-named company on July 7, 2010, as a Production Operator. On December 21, 2011, I was suspended with pay by Lawrence Williams, Plant Manager. On January 13, 2012, I was discharged. II. Mr. Lawrence Williams, Plant Manager, did not give me a reason for my suspension. Ms. Christine Meinger, Client Manager, and Lydia Jeung, Director, said that my discharge was due to "a threat to the employees and the work-site." III. I believe that I have been discriminated against because of my religion (Muslim), in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY – When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Feb 09, 2012  Date Charging Party Signature			

Subject: Fw: complaint to investigator Kanuu FRiday
From: kenneth lynch (norcrosssoney@yahoo.com)
To: norcrosssoney@yahoo.com;
Date: Sunday, November 25, 2012 11:01 PM

RECEIVED
 NOV 29 2012
 EEOC-ATDO

Clorox's' overall goal for over a year was to create and maintain a hostile work environment, in the hopes that it would force me into a foolish decision or confrontation. Clorox would then have the grounds for immediate termination. Of course Clorox would have to pretend to investigate the situation, **(similar to what the company has done 12/21/2011)** but in the end, Clorox would hypocritically say, "Clorox is a 0 tolerance workplace," (when it comes to violence, or whatever rule the company wants to enforce at the time.) Harassing, degrading, and ultimately terminating me would benefit the Clorox the company in many ways:

- 1) Silence a whistle blower. **Kenneth Lynch is a witness in a pending EEOC case against the company. #410-2011-04458 Vanette Stephens (Clorox well aware I am a witness)**
- 2) **Kenneth Lynch attempted to file an EEOC charge of retaliation and Religious discrimination 10/2012 (dismissed)**
- 3) Send a message to Clorox workers not to question any of Managements unethical or illegal tactics.
- 4) Confirm there are certain levels of hierarchy at Clorox. Rules don't apply. {Some people are above the law} ex: Plant Manager, HR Manager, and Packaging Manager.
- 5) Confirm certain groups and certain people are not welcome at Clorox, no matter what the rulebook says. ex: Muslims, Gay men, women in Molding
- 6) Confirm the rulebook is subject to interpretation.
- 7) Demonstrate workers do not complain about workplace violence.
- 8) Demonstrate workers do not complain about Management or activities at Clorox internally or externally.
- 9) Demonstrate Clorox can do what it wants, whenever it wants.
- 10) Keep workers ignorant of legal, and Civil rights.

Huffmaster Security had no (legal) basis to categorize me as a threat, other than I (Kenneth Lynch) am "African American," (which Huffmasters, Gary Strehl specifically sighted in his statement) and I (Kenneth Lynch) am Muslim. (Which Clorox is quite aware of, and had to inform it's security company Huffmaster during numerous so-called investigations)

Huffmasters Gary Strehl sent an "unsolicited" letter to Clorox accusing me (Kenneth Lynch) of being "a threat to the work sight and community."

At no time did Huffmaster offer any details or evidence to support to this serious charge.

At no time did Huffmaster or Clorox offer any incidents or evidence to validate charge.

At no time, was I (Kenneth Lynch) informed of these serious accusations, by Huffmaster or Clorox during these, so-called, "investigations." (I was told to go home and not contact anyone at the plant by Plant manager, Lawrence Williams)

Basically I had no voice, and I (Kenneth Lynch) couldn't defend myself.

There were no investigations, just a sinister plot by both companies (Clorox and Huffmaster) to discredit, humiliate and terminate me, (and hide it) because my status as an EEOC witness (Ms. Vanette Stephens case) my ethnicity and Religion.

Numerous Clorox employees have had verbal and physical confrontations at the plant.

They curse, threaten, slam and throw things, in an attempt to intimidate other employees. **ALL ARE REPEAT OFFENDERS.** Unlike me, Neither company (Clorox and Huffmaster) identified these individuals as threats, even though their employee records and reputation demanded it.

Age, Ethnicity and gender is unlikely to be determining factors for this for this particular case of discrimination. Most are male, and African American. Only difference between my co-workers and myself, is that I (Kenneth Lynch) am Muslim.

Actually Rebbecca Bowman (Packaging Manager) and Lawrence Williams (former HR Manager, and Plant Manager) **encouraged aggressive behavior from certain employees.**

The very culture (threats, verbal abuse, intimidation, and harassment) I (Kenneth Lynch) spoke against in the 12/2011 meeting, where I (Kenneth Lynch) was vilified as a "threat" by Huffmaster, and Clorox Management.

***Neither of these individuals were subjected to the level of character assassination, professional and personal torment, that I (Kenneth Lynch) was.**

- 1) Terry Mann (Floor Supervisor) Threatened and cursed numerous workers for years.
- 2) Edward Miller (Trainer)
- 3) Tommy Williams (no longer employed)
- 4) Bobby Ogles (Trainer)
- 5) PK Keller (Trainer)
- 6) Frank Butler (Trainer)
- 7) Tim Newton (Trainer)
- 8) Romano Dudley (former supervisor)
- 9) Rebbecca Bowman (Packaging Manager)
- 10) Jeff Kent (Trainer)
- 11) Donald Perkins
- 12) Linda Harris (Trainer)
- 13) Steve Holt (Trainer)
- 14) Takeisha Chandler (former crew lead)
- 15) Jaye Holloway
- 16) Anthony Dennison
- 17) Phil Carataker (Maintenance Supervisor)
- 18) Kenneth Buchanan (HC-1 Crew Lead) Threatened a cursed employee for stopping line.
- 19) Wendell Hammond (verbal altercation with Manager which almost became violent. suspended) *no longer employed
- 20) Loretta Lewis

12/21/2011 Suspension, and ultimately termination was partly retaliation for speaking out against bullying at the meeting (12/20/11) the night before. Clorox and Huffmasters plan was to provoke me (Kenneth) into a confrontation, and use any and everything that happened as grounds for insubordination. These are the facts.

1) There was no reason for the suspension initially. My (Kenneth) request for an explanation of the suspension was denied. Clorox's plan was to use what happened 12/21/2011, as the core reason for my (Kenneth) termination.

This is why the plant Manager, Lawrence Williams, and Huffmasters Jay Casey, was so confrontational and belligerent during the process.

2) Clorox has never had 3 people walk someone out of the plant before. (2 Managers and security for someone that has no history of aggression) Clorox's goal was to make it as visible, and humiliating as possible for me. On the walk out the plant, Plant Manager (Lawrence Williams) took the most visible route through the main aisles. (It was a lesson to current employees not to question any of the tactics of Management.

3) If the employee was a real threat, why even allow the employee onsite? Clorox usually calls the employee at home and tells him or her there is an investigation, or right then, they are terminated. (Their badge is deactivated, and security is alerted.) No confrontation. Their personal effects are sent to them, or picked up by someone the employee and company have agreed upon. Extreme cases, Forest Park Police Department is alerted and placed on standby. (Clorox's actions contradict their words) If I (Kenneth) was such "a threat to the worksight, employees and community," why weren't the police department notified?

4) If I (Kenneth) was such a threat, why would the plant Manager knock my hand down, and a 5'6, 160 pound security guard shove me in the back? If I (Kenneth) was such a threat, why would the security guard take his attention off of me, then "accidentally bump" into me when I supposedly stopped abruptly? FYI, when the security guard, "bumped" into me (Kenneth) he **DID NOT** say, "excuse me," Mr. Casey yelled, "GO!"

5) A Plant Manager (Lawrence Williams) and Client Manager, of Product Supply (Kristine Meinger) hours are usually 9-5pm. In this particular case, both stayed on the job well after 10pm. Both individuals took this particular case very personal. (personal seldom makes good business)
12/21/2011 (It was all, or nothing) Managements plan of terminating me had to work. This is why the overall process was sloppy, and inconsistent with the facts.

6) The transision package that Clorox offered me 01/12/2012 is not a common practice with hourly workers. The transision package was not offered because they liked me, or worried about the well being of my family. The "general release" was designed to cover up the the physical, mental, and psychological torment Clorox and its employees put me and my family through for a year and a half.

III I (Kenneth Lynch) have been discriminated against because of my Religion (Muslim)

- A) I have been called a "racist," "terrorist" and accused of "not liking white people."
- B) I have been punched in the chest twice by a former supervisor.
"You're not going to get some of the brothers from the mosque on me ARE you?"
- C) I have been compared to a "puppy dog."
- D) I have been written up twice for following company policy.
- E) PASSED OVER for overtime (numerous times)
- F) CURSED AT, and HARASSED by CO-WORKERS.
- G) Group H certification TAKEN away, and placed on a line that I knew nothing about.
- H) Put ON night shift, even though I had seniority ON many CO-WORKERS who were still ON day shift.
- I) Machine sabotaged numerous times
- J) SUSPENDED for NO REASON
- K) ASSAULTED by clorox, and huffmaster employee
- L) Life threatened, along with 3 year daughter, and her mother
- M) Terminated For NO REASON
- N) Ostracized, and harassed by CO-WORKERS AND Management. ~~the~~ Security company
 - picking arguments
 - machine sabotaged
 - cursed at
 - portrayed as a "threat", "confrontational"
- E) Other workers at clorox have threatened, harassed and cursed other co workers at clorox, (AND has been documented) but have NOT been terminated, suspended, or pointed out as a threat by clorox or Huffmaster.

* It's not because I'm african American.
most of the plant is.

most of Laundry's night shift crew LEADS, have been accused of threats, and verbal abuse

* Numerous complaints

- A Terry Mann
- B) Bobby Ogles
- C) LARRY DAVIS
- D) TERRY NOLAN
- E) Ed Miller.
- F) "WILL" process operator.

EXHIBIT A. "The question was asked if anyone experienced workplace harassment."
(A31) Kenneth Lynch spoke up.
"The presenter asked if there were any questions. Kenneth again spoke up." Hugh Pinkston

~ I (Kenneth Lynch) did not Disrupt training; At ANY time. I did what I was told, and asked John Kavalick opened the floor for questions; African American male raised his hand." GARY F Strehl Huffmaster.

) I (Kenneth Lynch) went to bathroom, (right by breakroom) AND then team LEADER Gary Hyde stopped me, and shook my hand. "Thank you for speaking up for whats going on in this place." Gary Hyde told me AS A manager he is "harassed as well for being white."

) John Kavalick prejudice before the facts led him to many mis steps. He was NEVER impartial or fair to me.

GARY Strehl of Huffmaster used their position to justify their prejudices
(THERE WAS NEVER AN INVESTIGATION BY CLOROX OR HUFFMASTER
EVERYONE'S goal from the start was to humiliate, bait, AND terminate Kenneth Lynch)

~ "When back in the guard house, GARY (Strehl) told John + me that while Kenneth WAS talking in the meeting, alarm bells were going off in his head." Hugh Pinkston Clorox

"That man is NOT right."
"He can stare right through you if you let him." John Kavalick Huffmaster security

Huffmaster AND CLOROX conclusions came from their prejudices, NEITHER company CAN explain ANY incidents where their claims have factual basis

) There WAS NO investigation. At NO time WAS I involved in the investigation process. Neither company asked for my input. I (Kenneth Lynch) had no voice in the process. NO ONE AT CLOROX OR HUFFMASTER CAN explain what I did, or how I acted that would WARRANT me being categorized or portrayed AS a threat to ANYONE.

) Forest Park police department could not go any further because there were NO witnesses, (I did not WANT to involve co-worker) and there were NO security cameras in warehouse.

"Something definitely happened there. I just can't prove anything without witnesses. I suggest you go to the courthouse, and see a judge." Detective A. Zachery city of Forest Park
"That Lawrence guy is the plant manager, so no one is going to say anything against him."

"I (Kenneth Lynch) have NEVER threatened, harassed or cursed anyone at clorox at no time. I have complained about threats, cursing AND violence TOWARD me. My complaints are in my file. Kenneth Lynch

I doubt ANYONE else would have been terminated under these conditions.

A31 ~~st~~ Other workers continue to threaten, harass and silence workers.

DISRUPTED THE TRAINING WITH ALLEGATIONS OF HARASSMENT
QUESTIONS
discuss issues with John Kavalick, and Gary Strehl suggested he discuss issue
(A32) with TEAM LEADER, human Resources or plant Management

interrupting the training."

Did not find him (Kenneth) anywhere he was suppose to be. Found me in a plant section of the plant I did not belong.

1) Gary Strehl sent (Cerox unsolicited) letter saying I was "potentially serious issue with regard to the signs of work place violence;"

2) John Kavalick comment (about Kenneth Lynch) "that man isn't right."

3) (Cerox personnel felt they needed to conduct an investigation to understand the risk expressed in the letter from Mr. Strehl.

4) Lydia Jung, and Kristen Meininger of Cerox conducted "an internal investigation into Huffmasters unsolicited letter as well as Mr. Lynch's Allegations."

5) "the conclusion was reached that no assault occurred."

6) Mr. Strehl, "Mr. Lynch was a security risk as set forth above."

7) Subsequent interviews of Huffmaster personnel confirming that Mr. Lynch was a security risk to the facility, other employees and the community, Cerox management felt they had no choice but to make the decision to terminate Mr. Lynch.

8) "The investigation conducted by Cerox, Cerox Management could not allow him to return to the Atlanta plant."



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

Please immediately complete this entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, within 180 days or in some places within 300 days of the alleged discrimination. When we receive this form, we will review it to determine EEOC coverage. Answer all questions completely, and attach additional pages if needed to complete your responses. If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "N/A." (PLEASE PRINT)

1. Personal Information

Last Name: Lynch First Name: Kenneth MI: 7
 Street or Mailing Address: 8791 Freedom Way Apt or Unit #:
 City: Jonesboro County: Clayton State: GA Zip: 30238
 Phone Numbers: Home: () Work: ()
 Cell: (404) 242-9390 Email Address: narcrossony@yahoo.com
 Date of Birth: 7/20/72 Sex: ☒ Male ☐ Female Do You Have a Disability? ☐ Yes ☒ No

Please answer each of the next three questions. i. Are you Hispanic or Latino? ☐ Yes ☒ No

ii. What is your Race? Please choose all that apply. ☐ American Indian or Alaskan Native ☐ Asian ☐ White
☒ Black or African American ☐ Native Hawaiian or Other Pacific Islander

iii. What is your National Origin (country of origin or ancestry)? United States

Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: Ebony Gray Relationship: Friend
 Address: 8791 Freedom Way City: Jonesboro State: GA Zip Code: 30238
 Home Phone: () Other Phone: (404) 242-4104

2. I believe that I was discriminated against by the following organization(s): (Check those that apply)

☒ Employer ☐ Union ☐ Employment Agency ☐ Other (Please Specify) _____

Organization Contact Information (If the organization is an employer, provide the address where you actually worked. If you work from home, check here ☐ and provide the address of the office to which you reported.) If more than one employer is involved, attach additional sheets.

Organization Name: The Clorox Company
 Address: 1221 Broadway County: _____
 City: Oakland State: CA Zip: 94612-1000 Phone: (510) 271-3388 (General Counsel)
 Type of Business: manufacturing Job Location if different from Org. Address: 17 Lake Mirror Road, Forest Park, GA 30297
 Human Resources Director or Owner Name: Lydia Jeung Phone: (510) 271-7882

Number of Employees in the Organization at All Locations: Please Check (✓) One

☐ Fewer Than 15 ☐ 15 - 100 ☐ 101 - 200 ☐ 201 - 500 ☒ More than 500

3. Your Employment Data (Complete as many items as you are able.) Are you a federal employee? ☐ Yes ☒ No

Date Hired: 7/7/2010 Job Title At Hire: Production Operator
 Pay Rate When Hired: 18.17 Last or Current Pay Rate: 20.29
 Job Title at Time of Alleged Discrimination: Production Operator Date Quit/Discharged: 1/13/2012
 Name and Title of Immediate Supervisor: Gary Hyde (Team Leader)
 If Job Applicant, Date You Applied for Job N/A Job Title Applied For _____

4. What is the reason (basis) for your claim of employment discrimination?

FOR EXAMPLE, if you feel that you were treated worse than someone else because of race, you should check the box next to Race. If you feel you were treated worse for several reasons, such as your sex, religion and national origin, you should check all that apply. If you complained about discrimination, participated in someone else's complaint, or filed a charge of discrimination, and a negative action was threatened or taken, you should check the box next to Retaliation.

☐ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☒ Religion ☒ Retaliation ☐ Pregnancy ☐ Color (typically a difference in skin shade within the same race) ☐ Genetic Information; circle which type(s) of genetic information is involved:
i. genetic testing ii. family medical history iii. genetic services (genetic services means counseling, education or testing)

If you checked color, religion or national origin, please specify: Muslim

If you checked genetic information, how did the employer obtain the genetic information? NA

Other reason (basis) for discrimination (Explain): _____

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, the action(s), and the name(s) and title(s) of the person(s) who you believe discriminated against you. Please attach additional pages if needed.

(Example: 10/02/06 - Discharged by Mr. John Soto, Production Supervisor)

A. Date: 12/21/11 Action: Suspended with pay by Plant Manager "Lawrence Williams"
Did not explain suspension "I'm not going to get into that right now." Lawrence Williams
Name and Title of Person(s) Responsible: Lawrence Williams Plant Manager

B. Date: 12/21/11 Action: Escorted out the plant, hand was knocked down by Lawrence Williams,
and I was shoved in the back by a security guard, while Plant Manager watched, and said nothing
Name and Title of Person(s) Responsible: Lawrence Williams, Plant Manager, Security guard Jaye Casey

6. Why do you believe these actions were discriminatory? Please attach additional pages if needed.

7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His or Her Job Title?

Lydia Jeung Excuses that no investigations, were carried out by the company.
NO evidence was found. Clorox Hotline Compliance Lawrence Williams Plant Manager

8. Describe who was in the same or similar situation as you and how they were treated. For example, who else applied for the same job you did, who else had the same attendance record, or who else had the same performance? Provide the race, sex, age, national origin, religion, or disability of these individuals, if known, and if it relates to your claim of discrimination. For example, if your complaint alleges race discrimination, provide the race of each person; if it alleges sex discrimination, provide the sex of each person; and so on. Use additional sheets if needed.

Of the persons in the same or similar situation as you, who was treated better than you?

Full Name	Race, Sex, Age, National Origin, Religion or Disability	Job Title	Description of Treatment
A. <u>Tramaine Phillips</u>	<u>Blk, M, 29, US, Christian</u>	<u>Production Operator</u>	<u>Treated fairly, trained properly, not moved from line to line, was not constantly cursed out, pushed, threatened, harassed.</u>
B. <u>Reggie Johnson</u>	<u>Blk, M, 35, US, Christian</u>	<u>Production Operator</u>	<u>was not placed on night shift, was not, cursed and harassed, and written up for stopping line following procedure.</u>

Of the persons in the same or similar situation as you, who was treated *worse* than you?

Full Name	Race, Sex, Age, National Origin, Religion or Disability	Job Title	Description of Treatment
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A. NA

B. NA

Of the persons in the same or similar situation as you, who was treated the *same* as you?

Full Name	Race, Sex, Age, National Origin, Religion or Disability	Job Title	Description of Treatment
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A. NA

B. NA

Answer questions 9-12 only if you are claiming discrimination based on disability. If not, skip to question 13. Please tell us if you have more than one disability. Please add additional pages if needed.

9. Please check all that apply:

NA

- ☐ Yes, I have a disability
- ☐ I do not have a disability now but I did have one
- ☐ No disability but the organization treats me as if I am disabled

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything? (e.g., lifting, sleeping, breathing, walking, caring for yourself, working, etc.).

NA

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability?

☐ Yes ☐ No

If "Yes," what medication, medical equipment or other assistance do you use?

NA

12. Did you ask your employer for any changes or assistance to do your job because of your disability?

☐ Yes ☒ No

If "Yes," when did you ask? _____ How did you ask (verbally or in writing)? _____

Who did you ask? (Provide full name and job title of person)

Describe the changes or assistance that you asked for: _____

How did your employer respond to your request? _____

13. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what they will say. (Please attach additional pages if needed to complete your response)

Full Name	Job Title	Address & Phone Number	What do you believe this person will tell us?
A. <u>LeRoy Taylor</u>	<u>Maintenance planner</u>	<u>McDonough</u>	<u>404-932-3083, Clorox mgt and employees went out their way to bait me, and harass me, then terminate me.</u>
B. <u>Terraine Phillips</u>	<u>Production Operator</u>	<u>Forest Park</u>	<u>404-822-3325, I was moved line to line, talked about, and harassed by employees, and management.</u>

14. Have you filed a charge previously on this matter with the EEOC or another agency? ☒ Yes ☐ No

15. If you filed a complaint with another agency, provide the name of agency and the date of filing: NE

16. Have you sought help about this situation from a union, an attorney, or any other source? ☒ Yes ☐ No

Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Do not care to elaborate at this time.

Please check one of the boxes below to tell us what you would like us to do with the information you are providing on this questionnaire. If you would like to file a charge of job discrimination, you must do so either within 180 days from the day you knew about the discrimination, or within 300 days from the day you knew about the discrimination if the employer is located in a place where a state or local government agency enforces laws similar to the EEOC's laws. If you do not file a charge of discrimination within the time limits, you will lose your rights. If you would like more information before filing a charge or you have concerns about EEOC's notifying the employer, union, or employment agency about your charge, you may wish to check Box 1. If you want to file a charge, you should check Box 2.

BOX 1 ☐ I want to talk to an EEOC employee before deciding whether to file a charge. I understand that by checking this box, I have not filed a charge with the EEOC. I also understand that I could lose my rights if I do not file a charge in time.

BOX 2 ☒ I want to file a charge of discrimination, and I authorize the EEOC to look into the discrimination I described above. I understand that the EEOC must give the employer, union, or employment agency that I accuse of discrimination information about the charge, including my name. I also understand that the EEOC can only accept charges of job discrimination based on race, color, religion, sex, national origin, disability, age, genetic information, or retaliation for opposing discrimination.

Thermonia Lynch
Signature

2/9/12

Today's Date

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

- 1) FORM NUMBER/TITLE/DATE. EEOC Intake Questionnaire (9/20/08).
- 2) AUTHORITY. 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626, 42 U.S.C. 12117(a)
- 3) PRINCIPAL PURPOSE. The purpose of this questionnaire is to solicit information about claims of employment discrimination, determine whether the EEOC has jurisdiction over those claims, and provide charge filing counseling, as appropriate. Consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(c), this questionnaire may serve as a charge if it meets the elements of a charge.
- 4) ROUTINE USES. EEOC may disclose information from this form to other state, local and federal agencies as appropriate or necessary to carry out the Commission's functions, or if EEOC becomes aware of a civil or criminal law violation. EEOC may also disclose information to respondents in litigation, to congressional offices in response to inquiries from parties to the charge, to disciplinary committees investigating complaints against attorneys representing the parties to the charge, or to federal agencies inquiring about hiring or security clearance matters.
- 5) WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Providing this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge. It is not mandatory that this form be used to provide the requested information.

**GEORGIA DEPARTMENT OF LABOR
CLAIMS EXAMINER'S DETERMINATION**

SSN ***-**-7765
BYB 01/17/12
CWB 01/15/12

CAREER CENTER
3100
CLAYTON COUNTY
2450 MT ZION PKY BLDG 100
SUITE 100
JONESBORO, GEORGIA 30236
FAX # (678) 479-6818

7000

CLAIMANT KENNETH T LYNCH 8791 FREEDOM WAY JONESBORO GA 30238	EMPLOYER CLOROX MANUFACTURING 17 LAKE MIRROR ROAD FOREST PARK GA 30297
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SECTION I - CLAIM DETERMINATION

Benefits are allowed as of 01/15/12.

SECTION II - LEGAL BASIS FOR DETERMINATION

Section 34-8-194 (2) (A) of the Employment Security Law says that you cannot be paid unemployment benefits if you were fired from your most recent employer for not following your employer's rules or orders. In addition, you may not be paid unemployment benefits if you were fired for failing to perform the duties for which you were hired, if that failure was within your control. You also cannot be paid benefits if you were suspended for any of these same reasons. The law says that your employer has to show that discharge or suspension was for a reason that would not allow you to be paid unemployment benefits. If you cannot be paid unemployment benefits under this section of the law, you may qualify at a later time. To do this, you must find other work and earn wages covered under unemployment law. The covered wages must be at least ten times the weekly amount of your claim. If you then become unemployed through no fault of your own, you may reapply for unemployment benefits.

SECTION III - REASONING

You were fired and no specific reason was given to you. Your employer had not warned you about your work not being acceptable. Because you were not aware of a problem, you had no opportunity to improve your work. For you to be disqualified, your employer must show that you failed to work as required. Your employer has not done so. The available facts show you performed the duties for which hired. Therefore, you can be paid unemployment benefits.

SECTION IV - ACCOUNT CHARGEABILITY

NOTICE TO EMPLOYER:

SECTION V - APPEAL RIGHTS

NOTE: This determination will become final unless you file an appeal on or before 02/24/12. If you file an appeal you must continue to report on your claim as instructed, or you will not be paid if you win your appeal. Refer to the Claimant Handbook booklet or contact an office of the Georgia Department of Labor for more details.

Georgia Department of Labor
Claims Examiner

02/01/12
Date of Interview

02/09/12
Mail Date